593
423 45. It is of interest to note that with these Jabawa the father would still appear to retain the right to refuse to sub-divide the family lands until after his death—a right not so readily acknowledged either by the Kagoro or Katabawa. It also appears, however, that this is a right which would very rarely ever be exercised. Should a married son demand his portion he would be given it without demur whenever he might choose to demand it.

423 46. Responsible opinion, even amongst the "magajin
496 dodo"—the traditional priests—who are the most conservative and staunchest supporters of traditional custom, held that this was accepted custom and had been long established. Their views on the subject are of interest. It is probably true, they say, that in pre-British times individual tenure did not take place to any very great extent; but that was not because it was against the custom. The only reason that kept families and family groups living and farming together on a communal basis was the necessity of the times—the continual threat of Fulani raids and wars. Now, however, there was peace and security; there was no longer any need for them to work together and, indeed, it was much more satisfactory for them to work apart. In the olden days if
423 any member of the compound did not pull his weight he would
496 be given a good beating by the others which he would accept and
●627 then get on with his work. If this did not work the threat of handing him over as a slave to the Fulani most certainly would. Nowadays if anybody started beating another he would be taken to Court and fined; and there was no longer the threat of handing him over as a slave. The lazy member of the community could not therefore be made to work and that being so it was much more satisfactory that he should go away and farm on his own rather than that he should feed on other people's labours. A man would not want to work on his own if he were willing to work with the others. If he was not willing then rather than have an unwilling worker they would prefer him to go off on his own. So runs local opinion.

Sub-division.
423 47. The breakdown to individual tenure has brought with it sub-division but no perceptible increase in fragmentation. The latter has always existed. At the present moment sub-division has arrived at a state where any further large increase will prove embarassing. Local opinion does not consider this as an evil inherent in sub-division but as an inevitable consequence of increasing population. Whether or not a family worked together as a whole or individually the amount of land available would not
B1 be altered. Spare lands in these districts are conspicuous by their
B4 absence. All the land that is farmable has been taken up and in some places is kept in continuous cultivation with the aid of manuring.

~~-18-~~

[p.13]

426 the present occupier vacated or moved his house they could get the land back.

Authority in land matters.

614 627 81. The Katab tribe appears to consist of three exogamous clans—Nyam, Ku and Baht. The first named is divided into four kindreds, the second is not divided and the third into three kindreds. The correlation of social units with territorial units was inconclusive. It would need more time than was available to establish the relationship—if any. It would appear, however, that at the present time neither the kindred nor clan elders claim the right to settle disputes. A farmer aggrieved by his father's division of the lands, for example, would complain to the village (kindred) elders who would try to effect or compromise. If they failed the matter would be brought up to the tribal elders who alone would be competent to insist that their decision be accepted.

82. The word insist has been deliberately used instead of enforce. The elders were at pains to point out that they would never require force to achieve their end. They would advise, then [626] coax or persuade; if that failed then social pressure would be exerted—ridicule, ostracism and, though it was not mentioned, probably a reminder of the potency of the " tsafi "—the tribal drum. At any rate in the end the disputants would accept the decision. And they had never known it to fail (cf. paragraph 69).

Unallocated lands.

423 241 83. As mentioned in paragraph 72 the Katab have little, if any, spare lands. All land in their area is claimed by some individual or family either as his or their farm or fallow—as with the Kagoro. It is not apparent that land hunger has set in—yet. Land can still be obtained freely on loan if one's own inherited lands are insufficient. Some families, reduced by death and disease, have more than they can use and are quite willing to loan it. Indeed, some of the elders complained that nowadays there were insufficient people to farm the lands properly since, if a man had four sons two would probably go off to the Mission and having gone away would no longer be interested in farming but would go off into some other non-agricultural pursuit. Whatever truth there may be in this statement the fact remains that some farmers find it impossible to follow the normal farm and fallow rotation and so adopt the "shifting compound " cultivation. The home farms are occupied with the house in the middle of them thus ensuring that their fertility is kept up by constant manuring; the " bush " farm is worked till its productivity becomes dangerously low. The whole household then moves *en bloc* to the " bush " farm which then becomes the " home " farm and is brought back into good [361] fettle by manuring. The " home " farm has in the meantime become the " bush " farm—and so the process goes on. This

Kaje
Hausa MS12.

K
612 and points out that with the " Baintso and Bainduang exogamy is
621 breaking down ". A further report in 1932 which was also
614 discovered refers, however, to five clans—Baindon, Baichok, Baibai, Baituran and Kahon. The prefix Bai is, of course, " the men of ". I have used the ancestral name. These correspond respectively with (*ii*), (*i*), (*v*), (*iii*) and (*iv*). There appears now to be a new appearance in Afwun. As, however, these reports refer to clans whereas I refer to " kindreds " there may be no discrepancy at all and the appearance of a new kindred is no more than a development on the lines of Brice-Smith's description. It is a detail which does not affect the general issue.]

K
691 87. I was informed that in the case of a land dispute arising
627 in Afana the elders of Afana would try to mediate and settle. They might even attempt to administer the oath on the " drum ". Either disputant would, however, have the right to refuse to take the oath and the matters would then go to the elders of Afwun. There would be no appeal beyond that. The elders of Afwun would administer the oath on the " drum " and the matter would be finally settled. Neither Tsok, Dwan or any other of the kindreds would be consulted. So, it was stated, would each of the six kindreds act. Such matters would not come before the Native Court unless there was an actual ' breach of the peace ', *i.e.*, a fight. In this case the ' breach of the peace ' would be dealt with by the Court. But the cause of the breach—the farm dispute—would still be settled in the customary manner by the tribal elders.

Other tribes.
000 88. In view of the great number of tribes present in the Province it would be impossible to give in detail, without many months of investigation, the precise land tenure system of each tribe. Sufficient has been written to give a general idea of the situation, however, and I have no reason to believe that examination of other areas will reveal any fundamental divergences. The broad pattern is plain. I have made cursory enquiries of members of all indigenous tribes that I have come across and these enquiries confirm the above. Cursory enquiries, however, are apt to be cursory. Confirmation—or refutation—will have to come from Administrative Officers on tour when visiting the various areas, after they have examined the local custom carefully.

HAUSA AREAS

(i) The Hausa Enclaves

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621 89. The Hausa enclaves at Zangon Katab and Kachia may be taken as typical examples of Hausa settlements in pagan areas. The Zangon Katab enclave is described in paragraph 72, that of Kachia is briefly referred to in paragraph 51.